

REMARKS

This is in response to the non-final Official Action currently outstanding with respect to the above-identified application.

Claims 1-9, 11-15 and 38-61 were pending at the time of the issuance of the currently outstanding Official Action. By the foregoing Amendment, Claims 11 – 13, 15 and 52-60 have been amended. Claims 1-9, 14, 38-51 and 61 have been canceled, without prejudice. Claim 62 has been added. No claims have been withdrawn. Accordingly, upon the entry of the foregoing Amendment, Claims 11-13, 15, 52-60 and 62 will constitute the claims under active prosecution in the above-identified application.

The claims of this application as they will stand upon the entry of the foregoing Amendment are set forth above including appropriate designations of the changes being made and also with appropriate status identifiers as required by the Rules.

More particularly, in the currently outstanding Official Action the Examiner has:

1. Acknowledge Applicants' claim for foreign priority under
35 USC §119 (a)-(d) or (f) and the receipt by the United States Patent and
trademark Office of the required certified copies of the priority
documents
2. Indicated that the formal drawings filed in this case on 21 October 2003
have been accepted.

3. Specifically withdrawn his rejections of claims 1-10, 14 and 38-51 under 35 USC §102(a) as being anticipated by WUMM 2 (WYNN, www.freedomscientific.com/LSG/downloads/InDepthWyNN2.txt) as well as his rejections of claims 11-13, 15 and 52-60 under 35 USC §103(a) as being unpatentable over WYNN, in view of Walker (US Patent No. 6,279,017 B1).
4. Rejected claims 1-9, 11-15 and 38-61 (all of the then pending claims of this application) under 35 USC 102(e) as being anticipated under 35 USC 102(e) by Walker (US Patent No. 6,279,017 B1).

Further comment regarding items 1-3 above is not deemed to be required in these Remarks.

With respect to item 4, Applicants have amended the reference to the word “complexity” in the claims of this application so as to refer to the “geometric” complexity of characteristics of the data being displayed. Applicants respectfully submit that these amendments further clarify that wording of the present claims and thus remove any and all bases for the Examiner’s objections to the claim wording in that regard.

In the latter regard, Applicants respectfully note that the Walker reference, now solely relied upon by the Examiner in rejecting the claims of this application, discloses at column 10, lines 50-53, the staggering in time of the color or brightness of individual phases, words, etc. Specifically, emphasis on “longer, more difficult words requiring longer to pronounce” is disclosed. It is to be noted, however, that the data characteristics of the letters making up the words does not change relative to the remainder of the document, and the fact that the highlighted words may take longer to pronounce has no impact relative to the frequency with which the various letters or groupings thereof appear in the document. In the present invention, on the other hand, it is disclosed (and now specifically claimed) that the **geometric** complexity of the characteristics of the data (characters and/or images) being displayed is the (or one of the) basis upon which the remark control means operates. Accordingly, Applicants respectfully submit that the Walker reference is inapposite to the present invention to the extent that the remark control means operates based upon the **geometric complexity of the data being displayed** as now specifically claimed.

In addition, Applicants respectfully note that the present application specifically discloses and claims that the remark control means also may operate based upon the **frequency of the data being displayed**. This is different from the Walker reference as is shown by the example thereof discussed at Column 39, lines 50-53 of the Walker reference and relied upon by the Examiner. Specifically, in the Walker example certain words are selected for so-called “temporal; protrusion”, a concept that encompasses the display of those words before, after or both before and after the words that surround them, and that selection may be made based upon the frequency with which the selected words appear in the document. The operation of the remark display control means of the present invention does not provide the so-called “temporal protrusion” of the Walker example relied upon by the Examiner wherein words appearing with low frequency are displayed for a longer period than the words surrounding them.

Therefore, since by the foregoing Amendment Applicants have ensured that all of the claims remaining under active prosecution in this application require that the remark control means is to operate based upon the **geometric complexity of the data being displayed**, and/or the **frequency of the data being displayed**, Applicants respectfully submit that the present invention as now claimed is neither anticipated under 35 USC 102, nor obvious under 35 USC 103, over the Walker reference currently relied upon by the Examiner.


A decision withdrawing the currently outstanding rejections of the present application under 35 USC 102 and 35 USC 103 in view of the foregoing Amendment and Remarks in response to this submission, therefore, is respectfully requested.

Consequently, in view of the foregoing Amendment and Remarks, Applicants respectfully submit that all of the currently outstanding rejections against the claims of this application as they will stand upon the entry of the foregoing Amendment have been overcome. Hence, Applicants respectfully submit that this application is now in condition for allowance and respectfully request a decision so holding in response to this submission.

Applicants believe that additional fees are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

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